

11:14 am, Mar 22, 2018

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

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THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

Plaintiff,

ADOPTION ORDER
17-cv-303 (ADS) (AYS)

-against-

JORDAN JOHNSON, LILLIAN JOHNSON,

Defendant(s).

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APPEARANCES:

D'Arcambal Ousley & Cuyler Burk

Attorneys for the Plaintiff

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By: Michelle J. D'Arcambal, Esq.,
Aeri Pang, Esq., Of Counsel

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Attorneys for the Defendant Jordan Johnson

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Lake Success, NY 11042

By: Eric Broutman, Esq., Of Counsel

NO APPEARANCES:

Lillian Johnson

The Defendant

SPATT, District Judge:

This action stems from an interpleader complaint filed by the Plaintiff Prudential Insurance Company of America (the "Plaintiff"), against the Defendants Jordan Johnson and Lillian Johnson, seeking to determine the rightful beneficiaries of a life insurance policy. The

Defendant Jordan Johnson answered the interpleader complaint on March 15, 2017. On June 21, 2017, the Clerk of the Court noted the default of the Defendant Lillian Johnson.

On June 26, 2017, the Defendant Jordan Johnson moved for a default judgment against the Defendant Lillian Johnson.

On June 29, 2017, the Court referred the motion to United States Magistrate Judge Anne Y. Shields.

On March 6, 2018, Judge Shields issued a report and recommendation (the “R&R”) recommending that the motion be granted.

On March 7, 2018, the Defendant Jordan Johnson filed proof of service of the R&R.

It has been more than fourteen days since the service of the R&R, and the parties have not filed objections.

As such, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result. See Coburn v. P.N. Fin., No. 13-CV-1006 (ADS) (SIL), 2015 WL 520346, at *1 (E.D.N.Y. Feb. 9, 2015) (reviewing Report and Recommendation without objections for clear error).

Accordingly, the Defendant Jordan Johnson shall be awarded the full value of the life insurance policy at issue, minus the attorneys’ fees and costs to be awarded to the Plaintiff.

SO ORDERED.

Dated: Central Islip, New York

March 22, 2018

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge